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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,455	11/03/2003	Chin-Ku Chuang	CHUA3042/EM	3481
23364	7590	12/12/2005		EXAMINER
BACON & THOMAS, PLLC				MURALIDAR, RICHARD V
625 SLATERS LANE				
FOURTH FLOOR			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314				2838

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/698,455	CHUANG ET AL.
	Examiner Richard V. Muralidhar	Art Unit 2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 November 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2 and 5 is/are rejected.
- 7) Claim(s) 3 and 4 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

Applicant is advised of possible benefits under 35 U.S.C. 119[a]-[d], wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

[b] The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2 and 5 are rejected under 35 U.S.C. 102[b] as being anticipated by Small [US-6326766].

With respect to Claim 1, Small teaches a battery engagement structure used in a portable battery charging module and adapted to engage a battery pack for charging by said portable battery charging module [col. 1 lines 7-9], the battery engagement structure comprising: a housing [Fig. 17 housing 250], said housing comprising a bottom panel, a first side panel, and a second side panel [col. 12 lines 25-27 incorporates these components into a top half case 204 and a bottom half case 206], wherein said first side panel having an inner face, said second side panel abutted against one end of said first side panel [description inherent to this housing], a battery engagement opening [Fig. 17 reproduced below shows an inner space inside inner housing 250 that is an engagement opening] disposed at said first side panel, a sliding groove disposed at said first side panel in parallel to said inner face of said first side panel [in Fig. 17 reproduced

below, left and right catches 253 and 254 are connected to catch arms which move in a sliding manner in the groove formed by the space between the battery charger and the charger housing] a button hole disposed at said second side panel [Fig. 17 below shows finger releases 225 and 226 protrude though openings in the charger housing], and a pivot holder upwardly extended from said bottom panel adjacent to the connection area between said first side panel and said second side panel [in Fig. 17 below, spring lever arm 252 is pivotally balanced on spring 256, which indicates a means of holding the pivot in place, specifically located under spring lever arm 252] a button mounted in said button hole [Fig. 17 below shows buttons 225 and 226 mounted through the side openings] ; an operation mechanism, said operation mechanism comprising a locking bar, and a link [Fig. 17 below shows an operation mechanism consisting of catch arms and a spring lever arm link 252], wherein said locking bar mounted in said sliding groove [the sliding groove is formed by the space between the charger and housing as indicated in Fig. 17 below] and movable along said sliding groove in and out of said battery engagement opening [the catch arms with left and right catches 253 and 254 slide in and out of the indicated battery engagement opening as indicated in Fig. 17 below], said locking bar having a front end insertable into said battery engagement opening [left and right catches 253 and 254], said link [taken to be from button 225 across spring lever arm 252 to button 226] having a first end [at the point of connection to button 225], a second end [at the point of connection to button 226], and a middle part [at the center where spring 256 is located], said first end coupled to said locking bar, said second end stopped at said button, and said middle part pivoted to said pivot holder [spring 256 denotes the middle of lever arm 252 and is pivoted at that point, and

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thus incorporates a means of holding the pivot in place]; and spring [Fig. 17 below shows spring 256] means adapted to impart a prestress to said locking bar to force the front end of said locking bar inserted into said battery engagement opening [spring 256 forces the entire latching structure to move upwards and releaseably engage the battery recess].

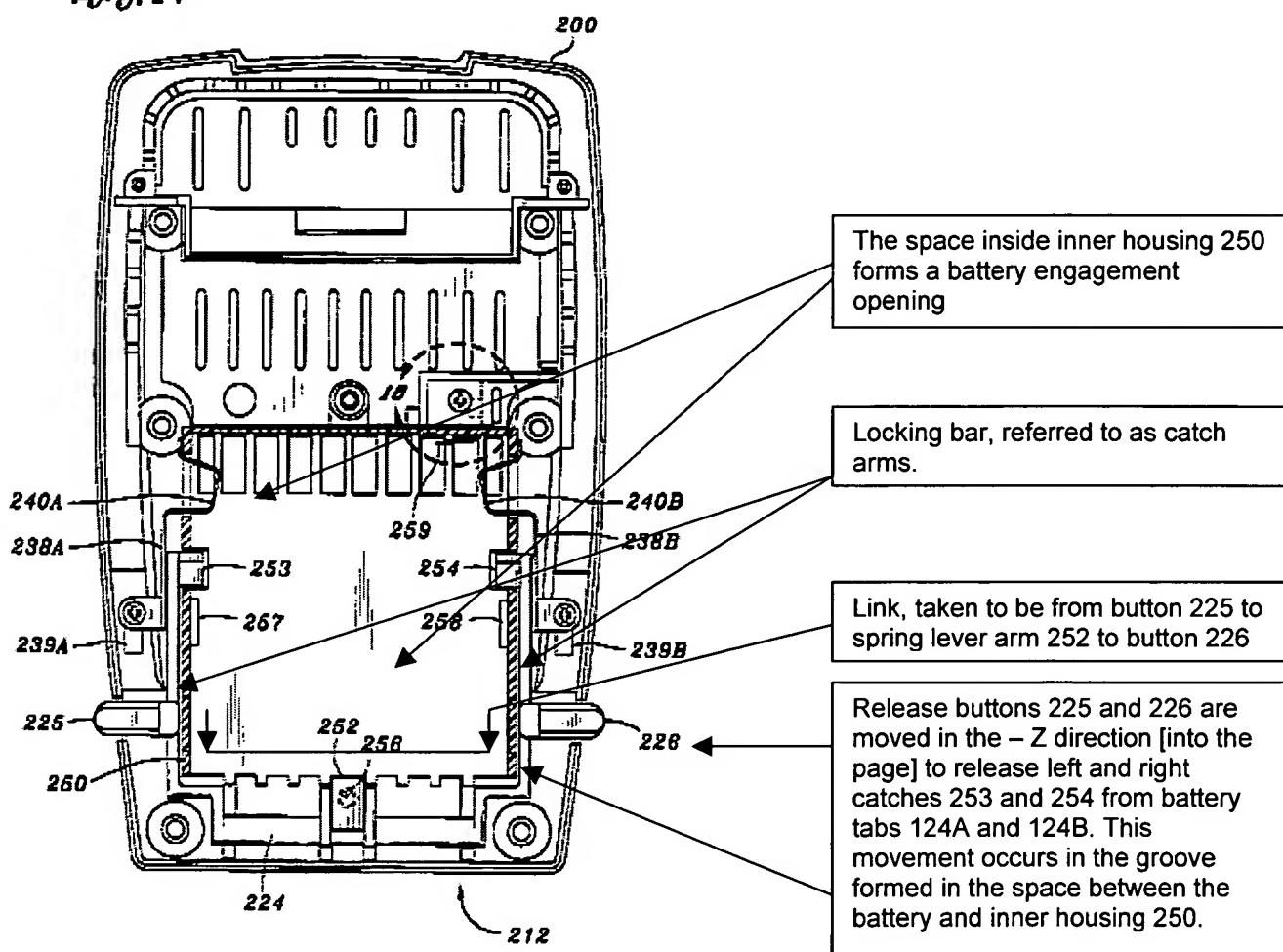
*Fig. 17*

Fig. 17, SMALL [US-6326766], showing battery engaged in battery charger module

3. With respect to Claim 2, Small discloses the battery engagement structure as claimed in claim 1, wherein said housing is comprised of a top cover shell and a bottom shell [col. 12 lines 25-27], and said bottom panel is formed in said bottom shell [the bottom shell intrinsically forms a bottom panel].

4. With respect to Claim 5, Small discloses the battery engagement structure as claimed in claim 1, wherein the middle part of said link [Fig. 17 shows an operation mechanism consisting of catch arms and a spring lever arm link 252] has a pivot hole pivotally connected to the pivot holder of said housing by a screw [spring 256 denotes the middle of lever arm 252. It is pivoted at that point, and thus incorporates a means of holding the pivot in place, utilizing any common means such as a screw].

#### ***Allowable Subject Matter***

5. Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is an examiner's statement of reasons for the indication of allowable subject matter: Claim 3 is allowable over the art of record because, the battery engagement structure of the prior art does not disclose or suggest "at least one rib defining said sliding groove said locking bar further comprising a supporting rod; one end of said spring means is sleeved onto said supporting rod and another end of said spring means is stopped against said at least one rib" in combination with the remaining claim elements.

7. Claim 4 is allowable over the art of record because the battery engagement structure of the prior art does not disclose or suggest "a guide rod upwardly extended from said bottom panel adjacent to said first side panel; said locking bar of said operation mechanism further has an oblong guide hole coupled to said guide rod" in combination with the remaining claim elements.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art [US-6965213] is cited for the disclosure of various configurations of grooves and locking bars.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard V. Muralidhar whose telephone number is 571-272-8933. The examiner can normally be reached on Monday to Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on Monday to Friday 8-5. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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RVM  
12/02/2005



David Gray  
Primary Examiner